

DEFENDANTS' NOTICE OF MOTION FOR TRANSFER OF VENUE

TO: Robert L. Lakind
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Attorneys for Plaintiffs

COUNSEL:

PLEASE TAKE NOTICE that on Monday, June 20, 2011, at 9:30 a.m. or as soon thereafter as counsel may be heard, Defendants Transamerica Life Insurance Company, located at 1150 South Olive Street, Los Angeles, California 90015, Transamerica Investment Management, LLC, located at 11111 Santa Monica Boulevard, Los Angeles, California 90025, and Transamerica Asset Management, Inc., located at 570 Carillon Parkway, St. Petersburg, Florida 33716 (collectively, “Defendants”), by and through their undersigned counsel, will move before the Honorable Faith S. Hochberg, U.S.D.J., for entry of an order pursuant to 28 U.S.C. § 1404(a) transferring this matter to the Western Division of the United States District Court for the Central District of California for the convenience of the parties and witnesses and in the interest of justice. Defendants bring this motion on the following grounds:

1. The conduct central to this controversy occurred in Los Angeles, California, not in New Jersey.
2. Defendant Transamerica Life Insurance Company's retirement plan business, and Defendant Transamerica Investment Management, LLC are located in Los Angeles, California.
3. Most, if not all, records and documents pertaining to this matter are stored in Los Angeles.
4. The United States District Court for the Central District of California is a more appropriate venue for trial for the convenience of the likely witnesses, most of whom reside in the Los Angeles area.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants will rely upon the Memorandum and supporting Declaration of Darcy Hatton submitted herewith. A proposed form of Order is also submitted. Defendants request oral argument of this motion.

Dated: May 16, 2011

s/ Thomas R. Curtin

Thomas R. Curtin

George C. Jones

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